

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW HAMPSHIRE

\_\_\_\_\_  
JIMMY GEDEON

Plaintiff,

v.

UNITED HEALTHCARE  
SERVICES, INC.

Defendant.  
\_\_\_\_\_

Civil Action No. 1:22-cv-00388-JL

**DEFENDANT’S OBJECTION TO PLAINTIFF’S FIRST MOTION  
FOR PRELIMINARY INJUNCTION**

Defendant United HealthCare Services, Inc. (“United HealthCare”) by its attorneys, Jackson Lewis P.C., objects to Plaintiff’s First Motion for Preliminary Injunction. In support of its Objection, United HealthCare states as follows:

1. In his motion, Plaintiff requests that the Court remand the cause to federal court and ensure that the arbitration process adheres to due process and legal standards. Plaintiff provides no basis for his request, and instead provides a litany of complaints related to discovery and the arbitrator’s action in the arbitration case, which are unsupported by the arbitration record.

2. To grant a preliminary injunction, a district court must find the following four elements satisfied: (1) a likelihood of success on the merits, (2) a likelihood of irreparable harm absent interim relief, (3) a balance of equities in the plaintiff’s favor, and (4) service of the public interest. *See Voice of the Arab World, Inc. v. MDTV Med. News Now, Inc.*, 645 F.3d 26, 32 (1st Cir. 2011) (citing *Winter v. Natural Res. Def. Council, Inc.*, 555 U.S. 7, 20, 129 S. Ct. 365, 172 L. Ed. 2d 249 (2008)). Plaintiff has not satisfied any of the elements required for this Court to grant a preliminary injection.

3. Further, Plaintiff's request to this Court to remand and/or oversee the arbitration matter is misplaced. This matter is stayed, and the UnitedHealth Group Employment Arbitration Policy Acknowledgement Form (the "Agreement") makes clear that arbitration is the exclusive forum for resolution of this dispute, and that the "arbitrator shall have the authority to resolve all issues concerning discovery that may arise between the parties."

4. Accordingly, United HealthCare requests that this Court deny Plaintiff's first motion for a preliminary injunction.

MEMO STATEMENT, LR 7.1(a)(2)

No memorandum of law accompanies this Objection and to the extent the Objection relies on legal authority, such authority is cited herein.

WHEREFORE, Defendant respectfully requests this Court:

- A. Deny Plaintiff's First Motion for a Preliminary Injunction; and
- B. Grant such other and further relief as this Court deems just and proper.

Respectfully Submitted,

**UNITED HEALTHCARE  
SERVICES, INC.**

By its attorneys,

**JACKSON LEWIS P.C.**

Date: July 23, 2024

By: /s/ Ashley R. Theodore  
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**CERTIFICATE OF SERVICE**

I hereby certify that the foregoing was filed with the Court using the Court's ECF filing system and that a copy was served on all parties via the Court's ECF filing system, via email, and via first class mail postage to Plaintiff's address.

Date: July 23, 2024

/s/Ashley R. Theodore

Ashley R. Theodore

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